

Panama Canal Regulations

§ 7.12

loss occurs. Such value may be based upon the replacement cost at the place where claimant resides when award is made, subject to appropriate depreciation to reflect the age and condition of the item at the time of loss and to reduction for salvage value, if any. Property is considered "destroyed", for purposes of this section, if the cost of repairs would exceed the value of the property immediately prior to the incident out of which the claim arose.

(b) *Damaged property.* Normally the amount allowable for damaged property will be the cost of repairs, unless it is determined to be in the best interests of the Government to authorize a higher award.

(c) *Special limitations.* There is reserved to the Chief, Claims Branch, subject to the supervision of the Chief Accountant, the authority to fix the maximum amount payable for specific classes of articles, to establish limitations on the maximum quantity of an item for which payment will be allowed, and, when appropriate, to require that repairs be made by the Government.

[42 FR 17875, Apr. 4, 1977]

§ 7.9 Claims procedure.

The claimant must submit his claim in writing on a prescribed form covering employees claims for loss of or damage to personal property.

The form should be sent to the Panama Canal Commission, Chief, Claims Branch, Office of Financial Management, Unit 2300, APO AA 34011-2300 (or Balboa, Republic of Panama).

[44 FR 75308, Dec. 19, 1979, as amended at 59 FR 26122, May 19, 1994]

§ 7.10 Supporting papers.

In addition to the information provided on the claim form, the claimant may be required to furnish the following:

(a) Detailed estimates of the value of the property immediately before the incident out of which the claim arose and detailed estimates of the repair costs.

(b) With respect to claims involving thefts or losses in quarters or other places where the property was reasonably kept:

(1) A statement as to location of place where the theft or loss occurred;

(2) A statement as to what security precautions were taken to protect the property involved; and

(3) An explanation of the facts and circumstances surrounding the loss or theft.

(c) With respect to claims involving property being used for the benefit of the Government, a statement by the employee's supervisor evidencing that the claimant was required to provide such property or that his providing it was in the interest of the Government.

(d) As respects a claim filed by an agent or survivor, a power of attorney or other satisfactory evidence of authority to file.

[31 FR 12406, Sept. 17, 1966, as amended at 42 FR 17875, Apr. 4, 1977]

§ 7.11 Settlement.

Upon receipt of a claim under the regulations in this part, the Chief, Claims Branch, subject to the supervision of the Chief Accountant, shall make a determination with respect to its merits and, if allowable, authorize payment. If the claim is disallowed in whole or in part, the claimant shall be advised in writing as to the reason for the disallowance. The settlement determination by the Chief, Claims Branch, is final and conclusive.

[42 FR 17875, Apr. 4, 1977]

§ 7.12 Agents' or attorneys' fees.

As provided by the Act, fees payable to any agent or attorney in connection with services rendered in connection with a claim hereunder shall not exceed 10 per centum of the amount paid in settlement of such claim. Any person violating the provisions of the Act, as therein provided, shall be deemed guilty of a misdemeanor and upon conviction thereof is liable to a fine of up to \$1,000.